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sound. It is not overweighted by reverence for previous commentators, however distinguished. With Judge Phelps, the name of Sir William Blackstone is not a match for the conclusions of common-sense. While, in solid weight of contents, the book may be inferior to some other elementary treatises on the same subject, it has the great merit of "readableness." The writer has "the art of putting things" in a form likely to be both read and remembered. Witness his comparison of the Court of Chancery, *tempore* Eldon, to "a ship built for high speed, with engines of enormous power and corresponding appetite, but so fouled with barnacles and weeds as to be slow beyond endurance."

There is room to differ from Judge Phelps upon the question what is the most important distinction between the methods of equity and law. He names the absence of a jury; while Professor Langdell emphasizes the rule that equity acts *in personam*. (Compare sections 22, 142, and 221).

In a book "designed primarily for the Maryland law student," it is not to be wondered at that many details of procedure should be given, or that some of those details should differ from the practice in other jurisdictions. But the value of the book to students at large is thus somewhat impaired; and there is, to some extent, a failure to give special prominence to the salient points common to equity procedure everywhere. However, after making all reasonable allowance for defects, this work cannot fail to prove a serviceable First Book in Equity.

J. S.

THE CRIMINAL CODE OF CANADA. By James Crankshaw, B. C. L. Montreal: Whiteford & Theoret. 8vo. pp. lxxxviii., 976. 1894.

This volume is designed to present in a popular manner a full general view of the criminal law and criminal procedure under the Canadian Code. There is very little that is original in the book. In fact, it is not much more than a collection of well-selected extracts from the standard text-books and important decisions, with numerous abstracts of cases to furnish illustrations, so arranged under appropriate sections as to constitute as far as may be a continuous discussion of the Code. Mr. Crankshaw has added nothing new to the learning on the criminal law, and has been content simply to present the views of others. The volume, nevertheless, is of value in furnishing a more ready reference to the authorities with respect to the new system, and must be commended for its skilful and attractive arrangement of the material of others.

The most interesting part of the book is the Code itself. It was founded on the English Draft Code of 1880, which was the last of the many efforts, beginning as early as 1833, to codify the criminal law in England. The work of the Canadian Parliament was therefore comparatively easy, and how much the legislators were indebted to the mother country may be gathered from the instructive reports of the House Debates on the Code given at some length in the appendix of Mr. Crankshaw's volume. The Code has made several important changes in the common law. It abolished the distinction between principals and accessories before the fact, discontinued the use of those technical words "malice" and "maliciously," substituted the word "theft" as a general term to comprise all acts of fraudulent taking and of fraudulent conversion, misappropriation, and breach of trust, and put an end to the arbitrary distinction between felonies and misdemeanors. In view of the fact that codification of

the common law is destined to become very general in this country, the Canadian Code will be examined with much profit, and Mr. Crankshaw's book affords an excellent means for doing so.

H. A. R.

**THE PATTEE SERIES, ILLUSTRATIVE CASES FOR LAW SCHOOL USE.** By W. S. Pattee, LL.D., Dean of College of Law, University of Minn. Phila.: T. & J. W. Johnson & Co. 1893. **CONTRACTS.** 8vo. pp. 527. **PERSONALTY.** Part I. 8vo. pp. 196. **PERSONALTY.** Part II. Sales. 8vo. pp. 412. **DOMESTIC RELATIONS.** By Prof. Jas. Paige, LL.M., of the same College. 8vo. pp. 471. **REALTY.** Part I. Land. 8vo. pp. 177. **PARTNERSHIP.** By Professor Paige. 8vo. pp. 238.

These cases are intended for use in connection with instruction by text-books or lectures. In this way the editor believes "the advantages of the 'case-system' may be realized without forfeiting those of the other system." The cases are not intended to be merely corroborative of what the teacher or writer has said, but to constitute in themselves distinct sources of information. With very few exceptions the selections are from American reports, and do not give the pleadings or arguments of counsel. Each group of cases is preceded by a brief and general statement of the principle intended to be illustrated. The difficulty occasionally met in making such brief generalizations accurate also demonstrates the value of the cases. The order of exposition is that adopted by most text-book writers. In the volume on Contracts it would seem that better results could have been reached by departing from the traditional order, and treating quasi-contracts separately.

Parts II. and III. of the cases on Realty, entitled "Estate in Land," and "Title to Land" are in press, and are soon to be followed by volumes on Torts, Pleading, Agency, Criminal Law, and Commercial Paper.

In Law Schools where the instruction is imparted chiefly by lectures, with text-books as a basis, these volumes will be found a useful supplement.

F. B. W.

**A TREATISE ON THE LAW OF MORTGAGES OF REAL PROPERTY.** By Leonard A. Jones. Fifth Edition. Boston: Houghton, Mifflin & Co. 1894. 2 vols. Octavo, pp. xv., 967; vi., 1012. \$12.00.

The customary additions of recent cases have been made, and fortified, as with the last editions of Mr. Jones's other books, with references to all the regular reports of each case. In this edition Vendor's Liens finally disappear, the subject being considered by the author as more appropriately covered in his treatise on Liens. Detailed statements of registration statutes are also omitted, and their place supplied by the rewriting and enlargement of the chapters on the general law of registration and notice.

In general, the method of arrangement and of detailed treatment is the same as in Mr. Jones's other books. In § 436 it is said that "chattels may be of such a character . . . that they will lose their character as personalty if they are annexed with the intention of the owner of the equity and of the person interested in the chattels that they should retain their